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11/1

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,823	01/15/2004	Gary M. Klinefelter	F12.12-0092	5507

27367 7590 05/21/2007
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EXAMINER

WILLIAMS, KEVIN D

ART UNIT	PAPER NUMBER
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2854

MAIL DATE	DELIVERY MODE
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05/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/757,823

Applicant(s)

KLINEFELTER, GARY M.

Examiner

Kevin D. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/13/05; 9/15/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 7/25/2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection has been set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5, 7-9, 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Imai (US 5,448,282). ✓

With respect to claims 1-5, Imai teaches a card printer comprising: a source 5 of at least one intermediate transfer sheet 4 including a backing film 33 carrying an image

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receiving transfer layer 34 having a print receptive surface; a source 14 of at least one card 15; a printhead 1 configured to print onto the print receptive surface of the intermediate transfer sheet; a sheet transport 7 configured to move intermediate transfer sheet past the printhead; and a laminator 20,21 configured to receive the intermediate transfer sheet after printing and adhere the image receiving transfer layer to the card; a separator 28 configured to remove the backing film from the image receiving transfer layer after lamination, wherein said intermediate transfer sheet is cut to a size providing sheet extensions from at least one side of the card (Fig. 2; col. 7, lines 5-8), wherein said source 5 of one intermediate transfer sheet comprises a plurality of intermediate transfer sheets 4, and a sheet feeder 3 for feeding individual sheets to the printhead, wherein the source 14 of at least one card comprises a stack of cards 15, a card feeder, said card feeder 16 feeding at least one card to overlie the at least one intermediate transfer sheet prior to the laminator operating to apply pressure to the card and the intermediate transfer sheet, wherein said laminator comprises a heater 20,21 for providing lamination heat to the intermediate transfer sheet and card.

With respect to claim 7, Imai teaches a card printer comprising a supply of individual intermediate transfer sheets 4 corresponding to a desired size relating to a size of the card, each of the intermediate transfer sheets having an image receiving layer 34 thereon that is print receptive, a printhead 1 positioned to print onto the image receiving layer of one of the intermediate transfer sheets sequentially presented to the printhead, a sheet transport 7 configured to move the intermediate transfer sheet past the printhead, a laminator 20,21 comprising a heated roll for receiving the sheet after

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printing, and for receiving an card in contact with the image receiving layer, after printing, the laminator being operable to laminate the image receiving layer to a surface of the card, and a device 28 for peeling a backing film from the print receptive layer subsequent to lamination.

With respect to claims 8, 9, 11, and 12, Imai teaches a printer for cards, including identification and credit cards, the printer including a printhead 1, a supply of individual intermediate transfer sheets 4, each intermediate transfer sheet including a backing film 33 and a separable print receptive layer 34 carried by the backing film, a sheet drive 3 for moving an individual intermediate transfer sheet from the supply to the printhead for printing on the separable layer of the intermediate transfer sheet, a supply of cards 14, a drive 16, 12, 13 for the cards and the individual intermediate transfer sheets to move the cards to a position to overlie the image receiving layer on the intermediate transfer sheet, a laminator 20, 21 for applying heat and pressure to the card and the intermediate transfer sheet with which it is aligned, and a separator 28 for separating the backing film from the image receiving layer laminated to the card, wherein the separator includes a ramp 28 surface for engaging a portion of the intermediate transfer sheet extending from an edge of the card after lamination (col. 7, lines 5-8), for guiding the intermediate transfer sheet away from the path of the card and separating the backing film from the image receiving layer laminated on the card, wherein said printhead comprises a dye sublimation printhead (col. 8, lines 45-50), and a supply of dye sublimation ribbon for said dye sublimation printhead, wherein said intermediate transfer sheet is larger than

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said card (col. 7, lines 5-8), whereby the printing extends from edge to edge of the card after intermediate transfer sheet and card have been operated on by the laminator.

With respect to claims 13-16, Imai teaches a method of applying an image carrying polymer layer 34 to a card 15 comprising providing a supply of intermediate transfer sheets 4 configured to overlie a card, printing 1 ink or dye on a surface of a layer on the intermediate transfer sheet, providing a card to overlie the layer on which the printing has taken place, passing the card and the intermediate transfer sheet through a laminator 20,21 to laminate a portion of the layer to the card, and separating a backing film 33 from the layer to leave the portion of the layer laminated to the card adhering to the card, including printing reverse images on the layer, including providing sensors (col. 8, lines 26-34) for sensing when the card and intermediate transfer sheet are in registry, prior to laminating the layer to the card, including providing a supply 14 of a plurality of cards 15, and a card feeder 16,12,13 to move an individual card to a position to overlie the intermediate transfer sheet after printing, and to be indexed to the intermediate transfer sheet for lamination.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imai in view of Hatada (US 6,103,042).

Imai teaches the claimed invention except for the printhead for printing on the intermediate transfer sheet being an inkjet printhead.

Hatada teaches an inkjet printhead for printing on a transfer sheet (col. 3, lines 31-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Imai to have the inkjet printhead as taught by Hatada, in order to utilize an effective method of providing an image to the transfer sheet.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7. A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

KDW
April 16, 2007

A handwritten signature in cursive script, appearing to read "Judy Nguyen".

JUDY NGUYEN
SUPERVISORY PATENT EXAMINER